

## **Prioritizing Criminal Justice**

By Jan Brewer  
Maricopa County Supervisor – District 4

Imagine the following headline: “Killer Released on Bail - Trial to Start in Three Years.” Sound far fetched? It may not be if Washington doesn’t get serious about stabilizing the nation’s criminal justice system and passing two critical bills, H.R. 1501 and H.R. 2670.

While the crime rate is beginning to decrease nationwide -- thanks in part to the focus on community police forces -- there’s little time to celebrate here at home. That’s because the Fed’s continue to neglect our local courts and correction systems.

In Maricopa County, our court system suffocates under an 18-month backlog of criminal cases and our juvenile justice system has become overburdened with a 44 percent increase in cases over the last five years. Meanwhile in Washington, President Clinton focuses solely on putting more cops on the street while reducing much needed criminal justice funding.

So what’s the rub, you ask? I would submit that politically motivated decisions to fund our local city police forces, while neglecting the less popular funding for prosecutors, judges, public defenders, jails and medical examiners are creating huge backlogs and financial difficulties for County and State governments.

Here at home, such a situation could have been even worse had the Maricopa County voters not approved a sales tax to fund a new jail and juvenile detention center. Nevertheless, the rate of criminal justice funding disparity between cities and counties remains nearly three to one in favor of the cities.

So, why should the average taxpayer care about this discrepancy in federal funding? Ultimately, because inadequate funding from the federal government could force an increase in property taxes. This is especially true if our State

Supreme Court follows through on its recent threat that the 15 Counties of Arizona must address their overwhelming court backlogs.

I, for one, would be very hard pressed to ever support a property tax increase, yet the fact is our criminal justice system is beginning to show signs of paralysis under the weight of nearly 7,000 detained inmates awaiting criminal trial. And future caseload trends point to an ominous future. Over the past 10 years, criminal case filings at the Superior Courts in Maricopa County have grown from nearly 13,000 cases to a staggering 24,739 in 1998.

In my mind, the ultimate solution lies squarely at the doorstep of President Clinton and Congress, where all that is required is a reprioritization and redistribution of the current revenues towards a fairer and “more just” formula. Sure, we want more police patrolling our streets, but not at the expense of the rest of our criminal justice system.

Luckily there is still hope, as Congress has the opportunity to finally address this funding imbalance. Recently, the House of Representatives passed a bill that changed some local funding formulas to incorporate what taxpayers spend on the corrections system, rather than basing the formulas simply on arrest rates. In addition, Congress is vigorously debating H.R. 1501, juvenile and local law enforcement grants which are currently administered in a not so favorable way for the County. Hopefully a provision in this bill that sets aside 25 percent of juvenile justice funding for primary prevention by local governments will survive final passage.

Another vital criminal justice need here in Maricopa County which Congress is considering is the State Criminal Alien Assistance Program (SCAAP). This program reimburses counties for the eligible costs of incarcerating undocumented aliens who have committed serious crimes.

Although the federal government has total responsibility for securing our nation’s borders, Washington has only reimbursed local governments about 48 percent of these eligible costs. Here in Maricopa County, that adds up to an additional \$6 million which could have helped pay for the costs of incarceration, indigent defense and health services for illegal aliens in just the last year alone.

Shockingly this year, the Clinton Administration chose to further cut incarceration funding for illegal immigrants by some \$85 million this year. Congressmen Bob

Stump, John Shadegg, J.D. Hayworth and Ed Pastor deserve high praise for fighting the President and reinserting the \$85 million back into H.R. 2670, the House Justice, State and Commerce Appropriation bill. Senator John Kyl is also fighting diligently to reinsert the same \$85 million in the Senate version.

Ultimately, it's time for President Clinton and Congress to do what's right for our criminal justice system, not what's politically expedient. Put the necessary justice funds into these block grants so as to reflect the real world justice system. And let's support our Arizona Congressional delegation in their fight to start paying for the entire cost of criminal alien incarceration. Until then, our entire criminal justice system will continue to suffer.